

SATURDAY, MAY 4, 1895.

Russia, France, and Germany object to the territorial acquisitions Japan gets in the treaty of peace with China. Their objection puts Japan in a difficult position. If her government give way there is liable to be internal disorder.

The proposition of our morning contemporary to send Mr. Thurston to Washington as commissioner of information is a unique idea. The diplomat who through the cruelty of Gresham has been stripped of his yellow jacket and taro leaves, has furnished the States with so much information about Hawaii that it will be sufficient for a few years to come. He has "done" the States as a first class drummer and showman, and he has made everybody sick of the very word Hawaii. But, if he must have a salary let the taxpayers pay it and make the best of it. Call him vice-roy, or commissioner, or grand mogul, but send him away from here.

The Labor Question.

The most important question for the government to solve at present is to the one dealing with labor for the plantations. There is in certain classes a feeling existing against a further importation of Asiatic labor, but the conservative portion of the community cannot help realizing that the plantations are entitled to consideration and that their demand for labor must be weighed hand carefully listened to. The government is doing its best to solve the problem and satisfy all parties, but the scheme now proposed will hardly meet the issue or settle the difficulties presented. If we are correctly informed it is the intention of the government to stop all Asiatic immigration as soon as feasible and at the same time do away with the contract system. The proposition is to import "American" laborers. A loan for that purpose will be negotiated and inducements presented to a desirable class of American settlers to come here and work for the planters.

The contract system will not and cannot be totally abandoned. But the most evil feature in it, the imprisonment for breach on part of the laborers will be omitted. A white laborer will be asked to come here on a three years agreement. His passage will be paid by the planters engaging him and it will be repaid by a monthly deduction in wages, the money to be deposited in the postal savings bank. Should the laborer leave his employer before his contract expire and without

any cause given, the money in the bank deposited out of his wages will be paid to the employer. Should the latter give good cause to the laborer to cancel his agreement the money will be paid to the laborer, and the employer out and injured to the amount of the passage money. It will be seen that there is very little difference between this arrangement and the old contract system.

Who is to decide the rights or wrongs of the employee and the employers? The courts of course. And where would there be a chance for the poor laborer against the rich planter who holds in his pocket the appointment of the magistrates and other officials? If a man did not suit the planter cause would soon be found to dispense with his services and the country would shortly be over-run with a class which so far has not reached the Paradise of the Pacific, that genus known as the white tramp. Chinese and Japanese vagrants are numerous enough here but they are angels in comparison with the original and full-blooded American tramp.

Until the loan has been negotiated, and the necessary arrangements carried out the planters are to be allowed to import Chinese laborers. An order for 1200 has been sent, and special laws will be made to register them, and make them purely and simply agricultural laborers. The memory of the government must be poor. Else it would remember that the Japanese government has emphatically protested against further importation of Chinese in Hawaii in considerable numbers. The Japanese government claims that there is a verbal agreement between Hawaii and Japan which bars the Chinese coolies from Hawaii. Mr. Fujii made the present government understand his unequivocal position in the matter, and there are no reasons to believe that his successor has adopted a different view.

In regard to the white labor to be imported, it would be interesting to know how they are expected to compete with the Asiatics and Portuguese now in the country—we mean in regard to wages and cheap living. The planter is a little too much inclined to make cheapness the main cry in his labor songs. He doesn't care much for the quality, color nationality of his laborers as long as they don't cost too much. One plantation, we are told, has started discharging its Portuguese laborers, not to make room for the prospective American settlers. Not much. But for the purpose of replacing them with 200 Chinese gentlemen now en route for Hawaii.

A proposition has been made to import a higher grade of Japanese laborers and only men with families. In regard

to the grade, we would like to know who is to guarantee it and press the stamp of approval on it. We have lately received several hundred Japanese "students." It is a question if the "low" class will not turn out the best in the long run.

But what is the remedy and what do you propose? is a very natural question.

We believe that there is right in Hawaii sufficient labor. We believe that if the government would pass a registration act for all classes, it would very soon be shown that the "unemployed" element, if employed willingly or unwillingly, would furnish all the labor needed by the planters. It may not be very cheap labor, but it would be the means of solving that most vexed labor question. Should then from time to time fresh supplies be needed let us go to Japan for it. If there is danger to Hawaii from that side the turning point has been passed, and it makes very little difference if we have one or five thousand more or less of the little brown man within the islands.

The Kalihi Road.

The negotiations between the Interior Office and property owners at Kalihi in regard to the proposed new road have not been completed yet. It is understood that Minister King takes a very favorable view of the proposition and that the road will receive his hearty support. A special appropriation should be made for the road or the road department will be equipped in its ordinary work an appropriation for the Kalihi road will be wise and meet the approval of the tax payers the owner the work is started the better for the residents of that prosperous suburb.

C. W. Ashford Before the G. A. R.

The encampment of the Grand Army met at Sacramento, California, on the 24th of April. After the regular business was disposed of the courtesies of the floor were tendered to Clarence Ashford, once Attorney-General Hawaii, brother of V. V. Ashford, a past commander of George W. de Long Post, G. A. R. Mr. Ashford made a very interesting address on matters in the Hawaiian Islands.

In accordance with his remarks resolutions were submitted condemning the action of the Hawaiian Government in expelling American Grand Army men and imprisoning others. The matter was referred to the author's post.

About one thousand people were present.

Too Truthful for Criticism.

Captain Palmer's name must have a secret attraction for our morning contemporary, for it is nearly impossible for it to stagger through its leading editorial without mention of the correspondent of the Post and Transcript. But why does it not gratify its readers by simply quoting the long list of errors, to refute which the late

Minister to Washington must now be returned as special commissioner of information? All which Capt. Palmer sent from hence last year was printed in a volume of 138 pages 8vo., and there are some twenty copies of the book in town. Further, his telegrams and letters of the present year have been widely copied in the United States and doubtless sundry copies of these have been mailed to persons interested at Honolulu. Yet, the severest critics of last year's work were only able to discover that he had accused a certain lawyer of being in some way responsible for an unfortunate investment of the late queen, whereby the benevolence of that lady missed its aim, that the aforesaid lawyer denied his agency in the matter. This year it was discovered that he had confused the silver balance with the general treasury balance, and by a typographical error had been made to give the inference that the latter was the sole balance. In both of these cases Capt. Palmer made the fullest and frankest apologies. Now why not go on in the good work? To be sure, neither good government, royalty nor annexation suffered or gained so enormously by the above mentioned errors or even by their correction, and now we happen to think of it, perhaps this is the reason why our contemporary has not put its finger on any other blunder. Capt. Palmer is a careful, painstaking writer, a correspondent who would never intentionally give a false impression. He is no more infallible than the rest of us, but it is by reason of his veracity that he is chosen to represent journals which will not admit sensational matter, much less pay a high price for it, and truth is a much more formidable opponent than misrepresentation.

The defendant Peacock claims, says the court, "that the material was furnished to a subcontractor, and he having been paid nearly his full contract price before the notice of lien was filed, that the lien cannot be effectual in any case beyond the balance due the sub-contractor at the time of filing; and also that he is not liable above the contract price of the buildings upon which the material was used. Several other points were raised by the defendant, but I consider the above-mentioned to be decisive of the case."

On February 10, 1893, Peacock entered into a contract with G. W. Lincoln for the erection and full completion of a two-story frame residence and outbuildings at Waikiki for the sum of \$8846, which was to be paid upon the certificate of the architect in fourteen payments. Lincoln was to furnish all materials and labor. The defendant Naone agreed with Lincoln to furnish all materials and labor for painting the house for the sum of \$779, and the debt now sued for was incurred by him in purchasing materials which were all used in the performance of his contract with Lincoln. At the time the lien was filed Naone had received from Lincoln \$653.70, and was shortly afterward paid in full. Several liens were filed upon the premises before that of the plaintiff in this case.

National Band Leaving.

Professor Liburnio, the leader of the Hawaiian National Band, returned by the Australia yesterday. He made satisfactory arrangements to take the band to the coast. They will leave by the Australia, next Wednesday. They will open concerts at the Metropolitan Hall in San Francisco.

Accident on the Australia.

The many friends of Mr. Hannigan, the assistant steward of the S. S. Australia, will be sorry to learn that he met with a painful accident the day before the steamer reached San Francisco. The gentleman fell over a chair and broke one of his ribs near the region of the heart, and is now confined in the hospital in San Francisco.

Arrivals from the Coast.

The following passengers arrived from San Francisco by the W. H. Dimond: Mrs. Capt. Nilson, Mrs. A. E. Buchanan, Miss J. Buchanan, H. H. McClosky, Marian, Laura and Paul McClosky.

Passengers by the S. S. Australia were as follows:

Jas. A. Buckley, Mrs. L. Ahlborn, B. Berger, G. S. Fraser, Rev. J. B. Eberhard, Harry C. Diestan, Norman Hyle, Miss E. M. Heslop, Mrs. E. R. Hendry and child, R. Halstead, Miss Halstead, Warwick Hunt, Rev. J. M. Kim, M. Katzstein, Miss Kilner, Miss A. C. Lamb, Miss A. Lamb, Mr. A. R. Laws, Miss Lyons, H. C. Newman and wife, A. C. Tubbs, A. C. Wycoff and wife.

COURT RECORD.

IMPORTANT DECISION BY JUDGE COOPER ON THE LIEN LAW.

Probate Matters In The Circuit Court.

Judge Cooper has rendered a decision in Hawaiian Hardware Co., Limited, vs. D. L. Naone and W. C. Peacock. This is an action for the recovery of \$334.25 for materials furnished by the plaintiff to defendant Naone, and used by him in painting the house and outbuildings of the defendant Peacock, and also to establish a lien upon the buildings and land upon which they are situated. The court decides that so far as defendant Naone is concerned the plaintiff is entitled to recover against him for the amount sued for.

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The Court is convinced that the owners cannot in any case be compelled to pay more than the contract price. It is of the opinion that the plaintiff is limited in his lien to the balance due from Lincoln to Naone at the date of filing, and that the lien does not attach for that amount if Peacock had paid Lincoln in full or only owed him a balance which is not sufficient to satisfy the liens filed prior to that of the plaintiff. Judgment is given against Naone for \$334.25 with interest and costs, but judgment is rendered in favor of Peacock. Carter and Kinney for plaintiff; Hatch for defendants.

Mr. Kinney has filed exceptions to the decision and a motion for a new trial.

Judge Cooper has admitted the will of the late Paul P. Kanoa to probate, and ordered letters of administration with the will annexed to the widow, Kaleipua Kanoa, and Cecil Brown under \$3000 bond. Brown for petition; none to contest.

An agreement of counsel has been filed to have the appeal of

plaintiffs, in J. T. Waterhouse and others vs. W. W. Dimond and others, heard by the Supreme Court in vacation.

Annie Elizabeth Spencer, executrix of the will of C. N. Spencer, has filed her account and petitioned for discharge. Receipts have been \$11,600, and payments \$416.50, leaving a balance of \$11,183.50.

Antonio G. Cunha, administrator of the estate of A. G. Cunha, has filed his account, showing receipts and expenditures balanced at \$526.10.

Fined for Libel.

Hoshi, proprietor, and Arai, editor of the Hoshi, a Japanese newspaper, were each fined \$100 in the District Court for libel. The offense consisted in calling a man named Mori, who had served a term in jail for vagrancy, "a vagabond and a loafer." Paul Neumann, who appeared for the defendants, noted an appeal.

Detectives Dismissed.

Detectives McEvoy and Wagner have been dismissed from the secret service, and the staff is to be reorganized, with perhaps an imported man at the head.

Mr. McEvoy called at the INDEPENDENT office to contradict a statement in the Star, that he "talked too much." He said it was the authorities themselves who exposed the nature of his employment, when they made him give evidence against Bash, Nawahi and Crick.

Hard to Please.

A young Englishman visiting Corea was induced to paint the portrait of the commander-in-chief of the Korean land forces, Prince Min Yomy Huan. Eleven o'clock in the morning was the hour fixed for the sitting; at six thirty the prince, having been unable to sleep for excitement, arrived at the place of appointment, and the artist was forced to hop out of bed and begin work. "As I possessed him," says the artist, "he did not utter a word nor wink an eye." And during the whole of a sitting of nearly three hours he sat motionless and speechless like a statue. "It is finished," I finally said, and he sprang up in a childish fashion and came over to look at the work. His delight was unbounded, and he seized my hand and shook it at intervals for nearly half an hour; after which he suddenly became grave, stared at the canvas, and then looked at the back of it. He seemed horrified. "What is it?" I inquired. "You have not put in my jade ornament," he said, almost in despair. I had painted his portrait full-face, and as the Koreans have the strange notion of wearing their decorations in the shape of a small button of gold, silver, jade, or amber behind the left ear, this did not appear thereon. I then tried to remonstrate, saying that it is impossible to show both back and front at once; but as he seemed distressed at what was, to him, a great defect, I compromised the matter by making another large but rapid sketch of him from a side point of view, so as to include the decoration and the rest rather magnified in size. "You will find no fault with this one," I remarked, with confidence. Alas! My Korean sitter advanced to the portrait, scrutinized it carefully and turned to me aggrievedly. "Yes," he admitted, "you have painted my decoration well but, -where is my other eyes?"

S. F. Argonaut.

SPORTS.

The Baseball Season Opens To-day.

BASEBALL.

The game to-day between the Star and the Unknown promises to be a fair game, although the first named club will be in a much better position when its new battery arrives. The following will play for this afternoon, and the public will find many familiar faces and a few new ones. Lionel Hart will pitch and Harry Wilder will catch. When the new "battery" arrives Lionel will go into the field—where he belongs. John Gansel, the 1st B, is a new man in Honolulu; but it is understood that he is an old hand on the diamond and will show some excellent playing. As 2d B we find J. O. Carter Jr. "Joe" has got bravely over his gripe and it will be amusing to see him doing some hard work for once and stretch his long legs over the ground. Sam Woods, the 3d B, is also a new man. He is an excellent tennis player and it is to be devoutly hoped that he won't get the two games mixed and play tennis with the bat.—Willie and Chan Wilder as S. S. and R. F. respectively are old stagers and can be depended on to do their duty. Geo. Angus, who formerly pitched for the Crescents, will be center and Duke McNicolls will be a most ornamental L. F. Ernest Wodehouse will join the Star later on and probably take a hand in the next game. The Unknowns—well, they are unknown, but we shouldn't be a bit surprised if the kids will give us a surprise party and make their opponents see Stars.

THE RACES.

There is quite a breeze in regard to the 2:20 race which somebody wants and which the Jockey Club seems unwilling to include in its programme, we cannot see any reason why a 2:20 race should not be arranged. The more the merrier and Honolulu can now boast of a fair number of trotters, which the owners would be willing to get in training and enter in amicable races. We suggest to the Club to make a purse for "professional" trotters. All the doctors in town would be happy, we are sure, to enter their fancy horses and prove to the public who can get the fastest in his patients. There are Dr. Miner, Dr. Brodie, Dr. Cooper, Dr. Rowat, Dr. Anderson, Dr. Herbert and Dr. Emmeluth. Each has got a fancy trotter and all are keen horsemen. If due notice is given we should not be surprised if the array of medical men were completed with further entries and Mrs. Emerson, Rodgers and Whitney joined the race and made their steeds appear on the turf.

St. Andrew's Cathedral.

The services of the second congregation of St. Andrew's Cathedral to-morrow, Sunday, will be as follows: 9.45 a. m. Holy Communion with sermon, Sanctus and Kyrie, Hart in D. Nunc Dimittis, Beethoven in B flat, Hymns 127 and 322. 6.30 p. m. Evensong with sermon, Magnificat Barnby in D, Nunc Dimittis, Taylor in E flat, Anthem, "The radiant morn hath passed away," by Woodward. Hymns 135 and 25.

S. Kimura, dealer in Japanese provisions, has a card in his issue. His store is in the same building with the INDEPENDENT.

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P. O. BOX 145.

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